

SUMMARY—Provides that the association of a common-interest community may not prohibit a unit's owner or tenant of a unit's owner from operating a small child care establishment within a unit. (BDR 10-528)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State: No.

AN ACT relating to common-interest communities; providing that the association of a common-interest community may not prohibit a unit's owner or tenant of a unit's owner from operating a small child care establishment within a unit; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law authorizes the association of a common-interest community to adopt rules and regulations governing the common-interest community. (NRS 116.3102) Existing law defines a small child care establishment as an establishment that furnishes care to not more than four children under 18 years of age who are not related to the operator of the establishment within the fourth degree of consanguinity or affinity: (1) for monetary compensation; (2) outside the home and the presence of the parents or guardians of any of the children; and (3) for at least 6 hours each day, at least 4 days each week and more than 3 consecutive weeks. (NRS 432A.0295)



This bill provides that an association may not prohibit a unit's owner or a tenant of a unit's owner from operating a small child care establishment within a unit. This bill also authorizes an association to adopt rules and regulations which are consistent with any applicable laws or ordinances relating to the operation of a small child care establishment and which establish reasonable restrictions regarding the operation of a small child care establishment within a unit including, without limitation, a requirement that a small child care establishment must be registered in accordance with the applicable provisions of chapter 432A of NRS.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** Chapter 116 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. Except as otherwise provided in subsection 2, an association shall not and the governing documents must not prohibit a unit's owner or a tenant of a unit's owner from operating a small child care establishment within a unit.*

*2. An association may adopt rules and regulations which are consistent with any applicable laws or ordinances relating to the operation of a small child care establishment and which establish reasonable restrictions regarding the operation of a small child care establishment*



*within a unit including, without limitation, a requirement that a small child care establishment must be registered in accordance with the applicable provisions of chapter 432A of NRS.*

*3. As used in this section, “small child care establishment” has the meaning ascribed to it in NRS 432A.0295.*

**Sec. 2.** This act becomes effective upon passage and approval.

